

NOTICE OF INTENT (NOI) INSTRUCTIONS

FOR DISCHARGES ASSOCIATED WITH HYDROSTATIC TESTING OF NEW PIPELINES AND STORAGE TANKS AND/OR EXISTING PIPELINES AND STORAGE TANKS EXPOSED TO CRUDE OIL AND PETROLEUM PRODUCTS OR NATURAL LIQUIFIED PETROLEUM GASES

Authorized by a Kansas Water Pollution Control General Permit

Who Must File A Notice Of Intent (NOI) Form

Federal law through the Clean Water Act and 40 CFR Part 122 prohibits point source discharges associated with industrial activity to Waters of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. The operator of a site where a discharge associated with hydrostatic test of new/existing petroleum and natural gas pipelines and storage tanks occurs must submit an NOI to obtain coverage under a Kansas Water Pollution Control General Permit. This general permit addresses water quality, not quantity. If you have questions about whether you need a permit to discharge hydrostatic test water contact KDHE at (785) 296-5545.

Where To Send NOI Form

NOI must be sent to the following address:

Kansas Department of Health and Environment
Bureau of Water, Technical Services Section
1000 SW Jackson St. - Suite 420
Topeka, Kansas 66612-1367

When to Send NOI Form

The applicant is encouraged to apply for a permit as soon as possible in order to minimize any potential delay of the proposed project. The applicant is not authorized to discharge until they are issued the general permit for Discharges Associated with Hydrostatic Testing of New Pipelines or Storage Tanks and/or Existing Pipelines or Storage Tanks exposed to Crude Oil and Refined Petroleum Products or Natural/Liquified Petroleum Gases. KDHE anticipates most permits will be issued within 1 to 2 weeks of receipt of a complete NOI. If coverage under the general permit is denied, the applicant will be required to submit an application for an individual Kansas Water Pollution Control permit, which may take up to 180 days for processing. The NOI should be submitted no later than 60 days prior to the proposed discharge. In the event an individual permit is necessary, early submittal of the NOI will help to minimize project delays.

Discharges Not Covered By This General Permit

Pursuant to K.A.R. 28-16-153, an **INDIVIDUAL** permit may be required if: 1. the discharge(s) is a significant contributor of pollution; 2. the discharge(s) is not in compliance with the terms and conditions of the general permit; 3. a change has occurred in the availability of demonstrated technology of pollutants applicable to the point source; 4. effluent limitation guidelines are subsequently promulgated for the point sources covered by the general permit; 5. A Water Quality Management Plan containing requirements applicable to such point sources is approved; or 6. The requirements listed K.A.R. 28-16-152 are not met.

I. PROPOSED PERMITTEE & FACILITY LOCATION INFORMATION

A. Proposed Permittee Give the legal name of the person, company, firm, public organization, or any other entity that operates and/or owns the activity described in the NOI, or if the activity will be on a right of way, leased property, or easement, give the name of the company or organization who will conduct the hydrostatic test. The responsible party is the legal entity that controls the site's operation.

B. Mailing Address Enter the operator's complete mailing address.

C. Name of Project Enter the project's official or legal name and physical location including the complete street address, city, state, and ZIP code. If the site lacks a street address, indicate the nearest town and give the legal description of location to the nearest quarter/quarter (¼ ¼) section, township, range and county.

D. Contact Person Enter the name, title and phone number of a person who can be contacted regarding this activity and the permit records. The operator and contact person need not be the same.

E. Location of Records If the permit records are not located at the operator of the facility address then give the location of the records.

F. Activity Number Check yes box for as many activities as are proposed to be conducted at this location generating the discharge. All activities must be conducted on the contiguous pipeline or storage tank project. All activity boxes not checked will be considered not applicable to this application.

G. Legal Description & Receiving Stream For each activity number check in F above, give the activity number (e.g. I(a) for new pipe line, II(b) for existing storage tank associated with petroleum products, etc.) And the legal description of each discharge activity. If one activity, you plan to discharge at more than one location, give details for each location. All test activities covered under this NOI have to be part of the same contiguous pipeline or storage tank system. If more space is required, use attached sheet - page 4 of the application.

Determine the routing of the discharge and enter the name of the first receiving water, stream or lake. This may be obtained from the Kansas Surface Water Register, a United States Geological Survey (U.S.G.S.) topographic map, internet maps or KDOT general highway map for the county where the project or discharge point is located.

H.

Project Description Provide either on the permit application or in a cover letter for this application a general description of the project.

II. DISCHARGE INFORMATION

A. Source of Water Supply State the source of water supply, e.g. municipal, receiving river or stream, private well, pond or lake. Quality of source water should be equal to or better than the quality of the receiving water so that there is no deterioration in the quality of the receiving water. If the water source is from a private well, lagoon, or lake of unknown water quality, you may be required to provide a copy of the water analysis (representative of the source water quality) performed by a laboratory certified by KDHE. If quality of supply water is unknown, contact KDHE.

B. Water Treatment Additives If water treatment chemicals or additives are proposed to be used in the hydrostatic test water, you may be required to apply for an individual NPDES discharge permit.

C. Treatment and Best Management Plan (BMP) Briefly describe each step of the proposed treatment system (e.g. hay bail filter, filter bag, etc.) or your BMPs (e.g. baffle plate to break the force of water to reduce soil erosion, settling pond to allow settling of suspended solids, etc.) to ensure that the discharge will be able to meet surface water quality standards. If the space on the application is insufficient, continue on the attached Page 4.

D. Indian Lands If the discharge site is located on Indian Lands, you can not be covered by this general permit. You should contact KDHE for a determination as to whether EPA retains permitting authority over the proposed discharge.

E. Drinking water Intakes If there are any intakes for public drinking water supplies within ½ mile downstream of the discharge points, likely to affect the quality of the drinking water supply, you may be required to apply for an individual NPDES discharge permit.

F. Endangered Species The Kansas Department of Wildlife and Parks (KDWP), through Kansas Administrative Regulations (K.A.R.) 115-15-1 et seq. maintains a listing of threatened or endangered species and their critical habitats. Contact the KDWP's Environmental Services Section (620-672-5911) for assistance. If threatened or endangered species are known or likely to be present at the site or within the receiving water body, then list the species and describe the location in relation to the site location. For example: The common map turtle is a threatened species known to occur in Sawyer County. The project site is located in northeastern Sawyer County.

G. Discharge Dates Enter the estimated start date and the estimated completion date for the hydrostatic test discharges.

H. Duration of Discharge and Rate of Flow Enter the length of time (hours) and flow (gallons/minute) of the discharge.

I. Construction Area Estimate the area to be disturbed. Include access roads to be constructed, and adjacent or on-site material borrow areas and excess material storage areas. If the total surface area estimated to be disturbed by this activity is equal to or more than 1 acre, you will need to submit a separate storm water discharge permit NOI for construction activity. The NOI and instructions for the storm water general permit for construction activity are on the KDHE web page "<http://www.kdhe.state.ks.us/stormwater/>" or you may request a hard copy by calling 785-296-**5545**.

J. Maps Provide a general topographic map or maps of the area extending at least to one mile beyond the property boundaries of the site which clearly shows the project area, proposed discharge locations and intakes for public water supplies. Use a 7½ minute series map as published by the U.S.G.S. (or a photocopy of the pertinent portions), or equivalent maps from the Internet. U.S.G.S. maps for the State of Kansas may be obtained from the U.S.G.S. Office or Kansas Geological Survey Offices listed below.

Kansas Geological Survey	Kansas Geological Survey
1930 Constant Avenue	4150 Monroe Street
University of Kansas	Wichita, Kansas 67209
Lawrence, Kansas 66047	(316) 943-2343
(785) 864-3965	

III. ANNUAL FEE

As per K.A.R. 28-16-56, as amended, the current annual permit fee for a general permit is \$60.

V. APPLICANT CERTIFICATIONS

Applicants should read and ensure they understand the statements in this section of the application before signing the application. The application must be signed by the project operator/owner. Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require the NOI to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipality, state, Federal, or other public facility: by either a principal executive officer or ranking elected official.